

DANNIE G. NEAL

Plaintiff,

vs.

HOME DEPOT U.S.A., INC.,

Defendant.

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Civil Action No. 3:11-CV-1436-M-BF

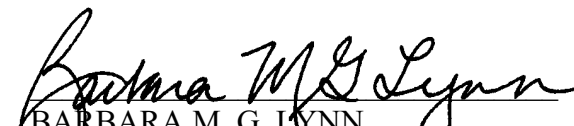
**ORDER ACCEPTING THE FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney. Plaintiff filed objections on October 27, 2011, and the District Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to which objection was made. The objections are overruled, and the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. Without leave, on October 27, 2011, the Plaintiff filed a First Amended Complaint. If he intends to amend further to state the specific claim or claims that he is alleging against Defendant and to provide short, concise allegations of material fact that support those claims and which would raise his right to relief above the speculative level, he shall do so by November 30, 2011. Defendant may file any motions directed to the adequacy of Plaintiff's last complaint as of November 30, 2011, by December 14, 2011. Pending the determination of any such motions, the Plaintiff may not further amend his pleadings.

In light of this Order, the Court denies as MOOT the Defendant's Motion to Strike, filed on November 3, 2011, and the Plaintiff's Motion to Strike, filed November 15, 2011.

SO ORDERED.

DATED: November 17, 2011.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS